

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 29TH DAY OF SEPTEMBER 2016

BEFORE

THE HON'BLE MRS. JUSTICE RATHNAKALA

CRIMINAL PETITION NO.5454 OF 2016

BETWEEN:

SRI. R. MOHAN KUMAR @ BELLI,
S/O. C.S. RAMAKRISHNA,
AGED ABOUT 25 YEARS,
R/AT NO.155, 4TH CROSS,
MADAKARINAYAKA ROAD,
NEAR GAVIGANGADHARESHWARA TEMPLE,
LAXMIPURA, K.G. NAGAR,
BENGALURU-560019.

... PETITIONER

(BY SRI. BHARATH KUMAR V., ADV.)

AND:

STATE OF KARNATAKA
THROUGH STATION HOUSE OFFICER,
CENTRAL POLICE STATION,
BENGALURU-560001.
REPRESENTED BY :
STATE PUBLIC PROSECUTOR,
HON'BLE HIGH COURT OF KARNATAKA,
BENGALURU-560001.

... RESPONDENT

(BY SRI. B.J. ESHWARAPPA, HCGP)

THIS CRL.P IS FILED UNDER SECTION 438 CR.P.C PRAYING TO ENLARGE THE PETITIONER ON BAIL IN THE EVENT OF HIS ARREST IN CR.NO.95/2016 OF CENTRAL P.S., BANGALORE FOR THE OFFENCE P/U/S 397 OF IPC.

THIS PETITION COMING ON FOR ORDERS, THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

Heard the learned counsel for the petitioner and the learned Government pleaded for the respondent/police.

2. The petitioner has filed this petition under Section 438 of Cr.P.C. seeking anticipatory bail in the event of his arrest by the respondent/police in respect of the offence punishable under Section 397 of IPC.

3. The allegation of the prosecution is, on the intervening night of 17th and 18th June 2016, the accused persons pelted stones at the complainant, putting him under threat fled away with his car bearing Registration No.KA-01-MG-8640.

4. The first accused was arrested on 21.06.2016. the stolen properties were recovered at his instance and on the basis of his voluntary statement, accused Nos.2 and 3 were implicated.

5. Having regard to the above circumstances, there is no impediment to grant anticipatory bail to the petitioner.

6. Accordingly, petition is allowed. The petitioner is granted anticipatory bail in Crime No.95/2016 registered by the Central Police Station, Bengaluru on the following conditions:

- (i) In the event of petitioner's arrest by the respondent – Police in respect of the above case, he shall be released on bail, on his executing a self bond for a sum of Rs.1,00,000/- (Rupees One Lakh only) with one local surety for the likesum to the satisfaction of the Trial Court.

- (ii) He shall make himself available before the I.O. during the further course of investigation and appear before him as and when directed.
- (iii) He shall not tamper with the prosecution witnesses.

**Sd/-
JUDGE**

snc